



143

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRWP-9305-2024

Date of Decision:- 23.09.2024

Ravi Kumar

....Petitioner

Vs.

State of Punjab and Others

....Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Chander Shekhar Singhal, Advocate
for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

1. Petitioner - Ravi Kumar has filed criminal writ petition under Article 226 of Constitution of India for issuance of writ in the nature of Habeas Corpus and for appointment of Warrant Officer, with a roving writ to search for detenues mentioned in para No. 4 of petitioner at the premises of respondent No. 4 or any other place to be pointed out by petitioner at the spot and get the detenues released with their belongings and other household articles from illegal custody of respondents forthwith.

2. In the petition, there are allegations against respondents No. 4 and 5 for not giving wages to petitioner and co-labourers. It is further alleged that all the detenues mentioned in para No. 4 of petition are family members of petitioner and they are illegally and forcibly kept by respondents No. 4 and 5 in the premises of Brick Kiln for doing labour work.

3. The aforesaid allegations mentioned in petition falls under the provisions of The Bonded Labour System (Abolition) Act, 1976 and as per Section 10 of the aforesaid Act, the State Government confers powers and imposes duty on a District Magistrate to ensure proper implementation of the aforesaid Act. Section 12 of the aforesaid Act cast a duty on every District Magistrate and every officer specified by him under Section 10 to inquire whether after the commencement of this Act any bonded labour system or any other form of forced labour is being enforced by or on behalf of any person resident within the local limits of his jurisdiction.

4. Considering the aforesaid provisions, it is the duty of District Magistrate, Mohali, District Mohali, Punjab to look into the facts and allegations levelled by petitioner. Gainful reference can be made to the judgment of the Division Bench of this Court in **LPA No. 32 of 2013** titled “*Murti versus The State of Punjab and others*”.

5. In view of these facts and circumstances, present criminal writ petition is disposed of with direction to District Magistrate, Mohali District Mohali, Punjab to treat this petition as complaint and to take immediate action in accordance with law within a period of two weeks from the date of receipt of certified copy of this order along with copy of writ petition.

6. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

23.09.2024

lalit

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No